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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/981,706	10/19/2001	Kai-Yu Sun	SUNK3002/EM/7321	6055

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EXAMINER

KOVALICK, VINCENT E

ART UNIT	PAPER NUMBER
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2673

DATE MAILED: 06/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/981,706

Applicant(s)

SUN ET AL.

Examiner

Vincent E Kovalick

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 April 2004.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☒ Claim(s) 3 is/are allowed.
6) ☒ Claim(s) 1,2,4,5,11,12,14-16 and 22 is/are rejected.
7) ☒ Claim(s) 6-10,13 and 17-21 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This Office Action is in response to Applicant's Amendment dated April 2, 2004 in response to USPTO Office Action dated December 3, 2003. The amendments to the Abstract, Specification, Claims 1 and 3 and Applicant's remarks have been reviewed and entered in the record.

a. Applicant's arguments filed April 2, 2004 have been fully considered but they are not persuasive. Applicant's argument relative to the double patenting of claims 1 and 12 as well as those arguments regarding the rejection of claims 1, 2, 4-5, 11-12, 14-16 and 22 based on the prior art of Kim et al. USUP 6,501,641 taken with Williams et al. USP 5,678,096) have been considered by the Examiner with the conclusion that based on the language of the claims and the applicable rejections, both the Double patenting rejection and the '103(a) rejection of claims 1-2 and 4-5, 11-12, 14-16 and 22 are valid and stand as indicated hereinbelow.

Double Patenting

2. Claim 1 is provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of copending Application No. US 2002/0050977. Although the conflicting claims are not identical, they are not patentably distinct from each other because the limitations recited in claim 1 of copending Application No. US

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2002/0050977 and the limitation recited in claim 1 of the instant invention include the same elements and in turn teach the same thing.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claim 12 is provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 9 of copending Application No. US 2002/0050977. Although the conflicting claims are not identical, they are not patentably distinct from each other because the limitations recited in claim 1 of copending Application No. US 2002/0050977 and the limitation recited in claim 1 of the instant invention include the same elements and in turn teach the same thing..

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2, 4-5, 11-12, 14-16 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al. (USP 6,501,641) taken with Williams et al. (USP 5,768,096).

Relative to claims 1 and 12, Kim et al. **teaches** a portable computer having a flat panel display device (col. 2, lines 41-67 and col. 2, lines 1-24); Kim et al. further **teaches** a housing for

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receiving a flat panel display, comprising: a front frame having a central opening, wherein the inner edge of said frame defines an active area for said flat panel display (col. 1, lines 35-41 and Fig. 2 item 121); a plurality of side frames to surround at least part of the edges of said flat panel display, wherein the height of said side frame is not less than the thickness of said flat panel display (Fig. 2 shows the side frames attached to the bottom frame, item 123); a bottom frame to combine with said front frame, said side frames to form a space to locate said flat panel display (col. 1, line 47-49 and Fig. 2, item 123); and combining a stopping frame with said side frames, said front frame and said bottom frame to close said space formed by said side frames, said front frame and said bottom frame (col. 1, lines 35-41 and Fig. 2, item 121).

Kim et al. **does not teach** sliding said flat panel display into said space surrounded and formed by said side frames said front fame and said bottom frame.

Kim et al. teaches a flat panel display device mounting structure and method of mounting the flat panel display device to a computer.

Williams et al **teaches** a portable computer with movable display panels forming a display screen (col. 1, lines 53-67 and col. 2, lines 1-46); Williams et al. further **teaches** sliding said flat panel display into said space surrounded and formed by said side frames said front fame and said bottom frame (col. 3, lines 35-42 and Fig. 2).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to provide to the device as taught by Kim et al. the feature as taught by Williams et al. in order to reduce storage space of the unit in that it is advantageous for a notebook or other portable compute configuration where a small volume is desired during transport and an enlarged viewing area is desirable during operation (Williams et al. col. 1, lines 57-63).

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Relative to claims 2 and 14, Kim further **teaches** said housing wherein the stopping frame comprises at least a binding unit on the surface of said stopping frame to said bottom frame (Fig. 2, item 123).

Regarding claims 4 and 15, Kim et al. further **teaches** the housing wherein the height of said side frame and said stopping frame is greater than the combined thickness of at least one flat panel display and/or a backlight module. It being understood that this must be the case in order for the frame to contain the display panel.

As to claims 5 and 16, Kim **teaches** the housing wherein said flat display panel is a liquid crystal display panel (col. 1, lines 35-45 and Fig. 2).

Regarding claims 11 and 22, Kim et al. taken with Williams **does not specifically teach** said housing wherein said front frame is made of plastic or metal; the use of these materials for application to frames or housing structures etc. being in common practice and well understood in the art.

Because plastic and metal materials are in common use and well known in the art, it would have been obvious to a person of ordinary skill in the art at the time of the invention that one or the other would have been used in the structure of the housing as taught by Kim et al. taken with Williams et al.

Allowable Subject Matter

5. Claim 3 is allowed.

6. The following is an examiner's statement of reasons for allowance:

Relative to claim 3, the major difference between the teachings of the prior art of record

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(Kim et al., USP 6,501,641 and Williams et al., USP 5,768,096) and that of the instant invention is that said prior art of record **does not teach** a housing for receiving a flat panel display wherein the at least one stopping frame is a reflector for light.

7. Claims 6-10, 13 and 17-21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As to claims 6 and 17, the major difference between the teachings of the said prior art of record and that of the instant invention is that said prior art of record **does not teach** a housing wherein a side frame comprises as least a binding unit on the surface of said side frame to combine or fasten said side frame with said stopping frames, front frame or said bottom frame.

Regarding claims 8 and 18, the major difference between the teachings of the said prior art of record and that of the instant invention is that said prior art of record **does not teach** a housing wherein said bottom frame comprises at least a binding unit on the surface of said bottom frame to combine or fasten said bottom frame with said side frames, said front frame or said stopping frame.

Regarding claim 13, the major difference between the teachings of the said prior art of record and that of the instant invention is that said prior art of record **does not teach** a housing wherein at least one stopping frame is a reflector for light.

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Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U. S. Patent No.	6,634,124	Bierschbach
U. S. Patent No.	6,373,213	Watanabe et al.
U. S. Patent No.	6,139,331	Owen
U. S. Patent No.	6,006,243	Karidis
U. S. Patent No.	5,682,182	Tsubosaka
U. S. Patent No.	5,283,967	Abrams
U. S. Patent No.	4,299,043	Lathrop et al.

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

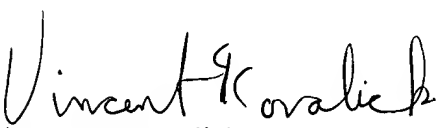
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Responses

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vincent E Kovalick whose telephone number is 703 306-3020. The examiner can normally be reached on Monday-Thursday 7:30- 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on 703 305-4938. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Vincent E. Kovalick
June 9, 2004


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